

## Message Text

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PAGE 01 STATE 194601

64  
ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SNM-02 JUSE-00 CPR-01 SCA-01

DEAE-00 PRS-01 INR-07 AID-05 CIAE-00 INRE-00 SSO-00

/027 R

DRAFTED BY L/SFP:LGFIELDS:JR.BT

APPROVED BY S/NM:S.VANCE

ARA/LA:GEBROWN

ARA/LA/BC:RPACE

AUSA,EDVA:RMDERMOTT,JR. (PHONE)

DOJ:KMUELLENBERT (SUBSTANCE)

----- 023578

O 052144Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ IMMEDIATE

C O N F I D E N T I A L STATE 194601

E.O. 11652:GDS

TAGS: SNAR, BL

SUBJECT: NARCOTICS COOPERATION INITIATIVE: COCAINE  
CONSPIRACY CASE (U.S. V. ARAMAYO-BERNAL ET EL)

REF: A. LA PAZ 6165 B. LA PAZ 6179

FOR AMBASSADOR

1. WE ARE DELIGHTED TO LEARN OF PROMPT AND COOPERATIVE ACTION TAKEN BY GOB WITH RESPECT TO COCAINE CONSPIRACY CASE ESPECIALLY THE ARREST OF TWO MAJOR FIGURES REPORTED REF B. ASIDE FROM ITS IMMEDIATE IMPLICATIONS FOR THE SUBJECT CASE, IT IS A HOPEFUL PRECURSOR FOR COOPERATION IN A LARGER AREA OF ANTI-COCAIN TRAFFICKING ENFORCEMENT. THE EXTENT OF GOB WILLINGNESS TO JOIN IN THIS ENFORCEMENT EFFORT IS A TRIBUTE TO EFFECTIVE MANNER IN WHICH EMBASSY HAS CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 194601

NURTURED A COOPERATIVE ATTITUDE ON PART OF KEY GOB OFFICIALS

AND ALL CONCERNED WITH THIS WELCOMED RESPONSE ARE TO BE  
COMMENDED.

2. THE BASIC DECISION ON THE OVERALL BOLIVIAN PROGRAM HAS  
NOT YET BEEN TAKEN, BUT IS EXPECTED MOMENTARILY. GOB  
COOPERATION IN THIS CURRENT INSTANCE WILL BE HELPFUL TO  
ILLUSTRATE BOLIVIAN INTENTIONS IN ENFORCEMENT COOPERATION.

3. THE MATTER OF PUBLICITY HAS BEEN TAKEN UP WITH BOTH  
DEPARTMENT OF JUSTICE AND DEA. IT IS NOT UNUSUAL TO HAVE  
PRESS CONFERENCES ON NOTABLE CASES, SUCH AS THIS ONE, AS  
THEY DO PROVIDE AN OPPORTUNITY TO DEMONSTRATE EFFECTIVE-  
NESS OF LAW ENFORCEMENT IN AREAS OF PUBLIC CONCERN. HOW-  
EVER, LATE ON AUGUST 5, PRIOR TO RECEIPT OF REFTEL A, DEA  
ADMINISTRATOR GAVE PRESS RELEASE TO WASHINGTON POST  
DEALING WITH FLIGHT OF ARAMAYO AND LOPEZ FROM U.S.  
JURISDICTION DUE TO LENIENT BAIL (\$15,000). RATIONALE  
FOR RELEASE WAS TO underscore ADMINISTRATION'S CONCERN OVER  
PROBLEM OF BAIL REFORM ACT WHICH HAS ENABLED DEFENDANTS TO  
FLEE AND AVOID PROSECUTION. LEGISLATION TO CORRECT THIS  
HAS BEEN INTRODUCED BY THE PRESIDENT AS PART OF THE  
NARCOTICS PACKAGE RECENTLY SUBMITTED TO CONGRESS. RELEASE  
DOES GO INTO SOME ASPECTS OF CASE BUT IN LESS DETAIL THAN  
INITIAL PRESS COVERAGE OF THE INDICTMENT. THE IMPLICATIONS  
OF SUCH PUBLICITY FOR BOLIVIAN LEGAL PROCESSES HAVE NOW  
BEEN MADE KNOWN TO ALL CONCERNED AND YOU MAY BE ASSURED  
THAT NO REPEAT NO FURTHER PUBLICITY WILL BE GIVEN TO THIS  
CASE THROUGH ANY USG INITIATIVE. FYI: STRONG POSSIBILITY  
PRESS WILL COVER ARRAIGNMENT ON AUGUST 9 OF DEFENDANTS  
BEING HELD IN U.S. NO WAY THIS CAN BE AVOIDED. END FYI.

4. AS TO PROSPECTS FOR EXTRADITION OF BOLIVIAN DEFENDANTS  
THE 1902 EXTRADITION TREATY (TS 399) DOES NOT INCLUDE  
NARCOTICS OFFENSES AND EXTRADITABLE CRIMES UNDER ARTICLE II.  
MOREOVER, ARTICLE V PROVIDES THAT NEITHER COUNTRY IS  
"BOUND TO DELIVER UP ITS OWN CITIZENS OR SUBJECTS UNDER THE  
THE STIPULATIONS OF THIS TREATY." LA PAZ 6987 (OCTOBER 6,  
1975) ADVISED THAT GOB HAD RATIFIED BOTH 1961 SINGLE  
CONVENTION AND 1972 AMENDING PROTOCOL BY DECREE LAW 12906  
OF SEPTEMBER 30, 1975; HOWEVER RECORDS OF NEITHER DEPT  
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PAGE 03 STATE 194601

SECRETARY GENERAL OF UN (DEPOSITORY FOR RATIFICATIONS/  
ACCESSIONS) INDICATE THAT GOB HAS COMPLIED WITH REQUIREMENTS  
OF ARTICLE 40 BY DEPOSITING AN INSTRUMENT OF RATIFICATION/  
ACCESSION WITH UNSYG. IF BOLIVIA BECOMES A PARTY TO THE  
AMENDED SINGLE CONVENTION THEN ARTICLE 36 (2) (B) (1)  
WOULD HAVE THE EFFECT OF AMENDING OUR BILATERAL EXTRADITION  
TREATY TO INCLUDE NARCOTICS OFFENSES (SEE ARTICLE 36 FOR  
FULL ENUMERATION OF OFFENSES). GOB SHOULD BE ENCOURAGED

TO GIVE LEGAL EFFECT TO ITS INTENDED RATIFICATION BY  
DEPOSITING ITS INSTRUMENT OF RATIFICATION/ACCESSION ASAP.

5. THE PREFERRED ACTION WOULD BE TO HAVE GOB PROSECUTE  
BOLIVIAN TRAFFICKERS UNDER ITS LAW. ASSIST. LEGAL ADVISER  
FIELDS REVIEWED PROVISIONS OF NEW BOLIVIAN NARCOTICS LAW  
AND FEEL THAT THERE IS A LEGAL BASIS FOR BOLIVIAN PROSECU-  
TION; HOWEVER, THIS WILL BE SUBJECT OF DISCUSSIONS BETWEEN  
BOLIVIAN OFFICIALS AND U.S. TEAM. TEAM WILL PROBABLY

INCLUDE FIELDS, AUSA/ROBERT F. McDERMOTT, JR. AND JUSTICE  
DEPT NARCOTICS SECTION CHIEF KURT MUELLENBERG. EARLIEST  
POSSIBLE DATE FOR TEAM VISIT IS BEING SOUGHT AND YOU WILL  
BE ADVISED ASAP. IT IS ANTICIPATED THAT TEAM WILL BRING  
ALL AVAILABLE DOCUMENTATION ON THIS CASE FOR THESE  
DISCUSSIONS. PURPOSE OF THIS TRIP IS TO DETERMINE GOB/  
LEGAL REQUIREMENTS SO AVAILABLE EVIDENCE IN U.S. CAN BE  
TAILORED TO MEET NEEDS AND TRANSMITTED TO GOB VERY  
PROMPTLY. WE ARE AWARE OF URGENCY IN VIEW GOB ACTION IN  
ARRESTING KEY FIGURE IN THIS CASE. HABIB

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## Message Attributes

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